

such convict was sentenced without the consent of the board of commissioners given in writing. The county commissioners shall provide in any contract, which may be made under the provisions of this act, for the proper and safe keeping of said convicts. This act shall apply only to persons convicted of felony or other offences, for which hard labor or imprisonment for one year may be inflicted: *Provided*, That the treasurer of the Western Division of the Western North Carolina Railroad Company be and he is hereby authorized and directed to pay to the company organizing under the act passed at the present session of the General Assembly, entitled, "an act to secure the rights of the State and stockholders of the Western North Carolina Railroad, and to secure the completion of the road," one hundred thousand dollars out of the first money coming into the possession of said Western Division of Western North Carolina Railroad, after paying all just debts now due by the company after said company organized under the above recited act, giving such assurance as the commissioners appointed under the before recited act will accept, to expend the said money on the line from Asheville to Waynesville; and also all the convicts to be turned over to the said Western Division of the Western North Carolina Railroad Company, under the provisions of this act, shall be turned over to the said company organized under the provisions of the above recited act, to be worked on said line between Asheville and Waynesville for the period of four years.

To whom this act shall apply.

Proviso.

SEC. 11. This act shall be in force from and after its ratification.

When to be in force.

Ratified the 3d day of March, 1873.